IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 25128 of 2007(N)

PETITIONER:

K.S.GANGADHARAN,
ENNAKKAL PARAMBU HOUSE,
S.H.MOUNT P.O., KOTTAYAM.

BY ADV. SRI.T.L.ANANTHASIVAN

RESPONDENTS:

1. SOUTHERN RAILWAY REPRESENTED BY ITS GENERAL MANAGER, SOUTHERN RAILWAY HEAD QUARTERS, CHENNAI.

2. DIVISIONAL RAILWAY MANAGER (WORKS), SOUTHERN RAILWAY DIVISION, TRIVANDRUM.

3. PUBLIC WORKS INSPECTOR (P.W.I.), OFFICE OF THE P.W.I., SOUTHERN RAILWAY, KOTTAYAM.

BY ADV. SMT.A.RAJESWARI, SC, RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.25128 of 2007

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Dated this the 22nd day of August, 2007

J U D G M E N T

The petitioner complains that without proper survey, the respondents propose to evict the petitioner from part of his property on the ground that the land belongs to the Railways. The contention of the learned Standing Counsel for the Railways is that they are prepared to survey the land in the presence of the petitioner, but it is because of the non-co-operative attitude of the petitioner that the same could not be done. This is contested by the petitioner saying that he is always ready to co-operate. In view of this consensus, I dispose of this writ petition with the following directions:

The respondents shall make all arrangements for survey of the land in question on 17.9.2007. The petitioner shall be present at the site from 10 a.m. onwards on that date . The survey shall be completed expeditiously and the matter would be completed after complying with the principles of natural justice.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

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P.A. to Judge.